

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION and
THE PEOPLE OF THE STATE OF NEW
YORK, by LETITIA JAMES, Attorney
General of the State of New York,

Plaintiffs,

v.

QUINCY BIOSCIENCE HOLDING
COMPANY, INC., a corporation;

QUINCY BIOSCIENCE, LLC, a limited
liability company;

PREVAGEN, INC., a corporation
d/b/a/ SUGAR RIVER SUPPLEMENTS;

QUINCY BIOSCIENCE
MANUFACTURING, LLC, a limited
liability company; and

MARK UNDERWOOD, individually and as
an officer of QUINCY BIOSCIENCE
HOLDING COMPANY, INC., QUINCY
BIOSCIENCE, LLC, and PREVAGEN,
INC.,

Defendants.

Case No. 1:17-cv-00124-LLS

DECLARATION OF WILLIAM DUCKLOW

I, William Ducklow, hereby declare and state, as follows:

1. I am a United States citizen over the age of 18. I am employed by the Federal Trade Commission ("FTC") as a Federal Trade Investigator in the Division of Advertising Practices in the Bureau of Consumer Protection. I have been a Federal Trade Investigator with the FTC since 2013, and have been employed by the FTC performing investigative tasks since 2008. In the course of my employment, I have participated in an investigation of Quincy Bioscience Holding Company, Inc. since at least 2017. The facts set forth herein are based on my personal knowledge, or information made known to me in the course of my official duties,

and if called as a witness, I could and would competently testify to the matters discussed in this declaration.

2. On or about March 28, 2019, I went to the website <https://www.prevagen.com>, and used a computer program called “Snagit” to capture images of the pages that I viewed. Attached hereto as **Attachment 1** are true and correct copies of the still images that I took of <https://www.prevagen.com>, which were also produced to Defendants as FTC-0000139.0001 through FTC-0000139.0046.

3. On or about June 14, 2022, Defendants produced to Plaintiffs a video file with the bates number QUI-FTCNY-00190517. A true and correct copy of the video is attached hereto as **Attachment 2**.

4. On or about June 14, 2022, Defendants produced to Plaintiffs a video file with the bates number QUI-FTCNY-00190519. A true and correct copy of the video is attached hereto as **Attachment 3**.

5. On or about June 3, 2022, I went to the website <https://www.quincybioscience.com>, and used Snagit to capture images of the pages that I viewed. Attached hereto as **Attachment 4** are true and correct copies of the still images that I took of <https://www.quincybioscience.com>, which were also produced to Defendants as FTC-0007249 through FTC-0007277.

6. The second page of Attachment 4 (FTC-0007250) shows four thumbnail images of videos that were embedded on the <https://www.quincybioscience.com> webpage. The first video from the left is titled “Watch the Story of Prevagen.” The remaining three videos lie beneath a banner that reads “View Customer Testimonials.” I used a computer program called “Video DownloadHelper” to download copies of those four videos, true and correct copies of

which are attached hereto as **Attachments 5-8**. These videos were also produced to Defendants as FTC-0007278 through FTC-0007281.

7. On or about June 7, 2022, I went to the website <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/guidance-industry-substantiation-dietary-supplement-claims-made-under-section-403r-6-federal-food>, and used Snagit to capture images of the pages that I viewed. Attached hereto as **Attachment 9** are true and correct copies of the still images that I took of <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/guidance-industry-substantiation-dietary-supplement-claims-made-under-section-403r-6-federal-food>.

8. On or about May 4, 2020, Defendants produced to Plaintiffs a video file with the bates number QUI-FTCNY-00150136. Using a computer program called VLC media player, I saved a screenshot of the video at approximately the 25 second-mark. Attached hereto as **Attachment 10** is a true and correct copy of the screenshot from the video.

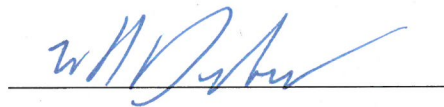
9. On or about June 30, 2020, Defendants produced to Plaintiffs a video file with the bates number QUI-FTCNY-00180816. Using a computer program called VLC media player, I saved a screenshot of the video at approximately the 29 second-mark. Attached hereto as **Attachment 11** is a true and correct copy of the screenshot from the video.

10. On or about June 14, 2022, Defendants produced to Plaintiffs a video file with the bates number QUI-FTCNY-00190485. A true and correct copy of the video is attached hereto as **Attachment 12**.

11. On or about June 14, 2022, Defendants produced to Plaintiffs a video file with the bates number QUI-FTCNY-00190511. A true and correct copy of the video is attached hereto as **Attachment 13**.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing statement is true and correct.

DATED: 6/15/22

A handwritten signature in blue ink, appearing to read "W. Ducklow", is written over a horizontal line.

William Ducklow